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Attorneys for Defendant Wright Timberframe, L.L.C.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, NORTHERN DIVISION

WESTERN TIMBER FRAME, INC. a Utah
Corporation,

Plaintiff,

vs.

WRIGHT TIMBERFRAME, L.L.C., a Utah Limited
Liability Corporation,

Defendant.

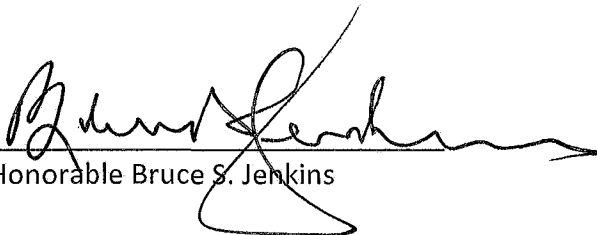
ORDER

Civil No. 2:14-cv-00741-BSJ
Honorable Bruce S. Jenkins

Defendant's motion for partial summary judgment on the First, Fourth, Fifth, Sixth and Seventh Causes of Action was heard on April 15, 2016. Brett Davis and Robert Aycock appeared for Plaintiff. Joseph E. Minnock appeared for the Defendant. After considering the memoranda of the parties, it is hereby ORDERED that:

1. Defendant's motion for partial summary judgment on the First, Fourth, Fifth and Sixth Causes of Action is denied. The court finds that there are genuine issues of material fact which preclude summary judgment.
2. Defendant's motion for partial summary judgment on the Seventh Cause of Action for copyright infringement is granted. The court finds an absence of evidence of actual copying nor is there evidence that Defendant had a reasonable opportunity to view or copy the allegedly infringed work.

Dated this 27th day of Oct, 2016.


Honorable Bruce S. Jenkins

APPROVED AS TO FORM:

PIA ANDERSON DORIUS REYNARD & MOSS

/s Brett Davis
Signed with permission
Brett Davis
Robert Aycock
Attorneys for Plaintiff Western Timber Frame, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of April, 2016, I caused a true and correct copy of the foregoing **ORDER** to be served via the Courts ECF filing system to the following:

Brett J. Davis
PIA ANDERSON DORIUS REYNARD & MOSS, LLC
136 E. South Temple 19th Floor
Salt Lake City, UT 84111

/s Joseph E. Minnock